

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

REBECCA CARTEE-HARING,

Plaintiff,

v.

CENTRAL BUCKS SCHOOL DISTRICT,

Defendant.

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Case No. 22-4019

COMPLAINT

Plaintiff, Rebecca Cartee-Haring, through her undersigned attorney, brings the following Complaint of Discrimination and Retaliation against Defendant, Central Bucks School District.

1. Plaintiff, Rebecca Cartee-Haring, is an adult woman whose date of birth is December 15, 1974, is a citizen of the United States, and resides at 500 North Shady Retreat Road, Doylestown, PA 18901.

2. Defendant, Central Bucks School District (“CBSD” or the “District”) is a public school district operating in Bucks County, PA with an address of 20 Welden Drive, Doylestown, PA 18901.

3. The District is engaged in interstate commerce or in any industry or activity affecting interstate commerce and employed 20 or more employees for each working day during each of 20 or more calendar workweeks in 2017, 2018, 2019, 2020, 2020, 2021 and 2022 in Bucks County, PA.

4. Ms. Cartee-Haring has been employed by the District as an English Teacher at CB West High School (“CB West”) since 2007.

5. Prior, Ms. Cartee-Haring had been employed as a high school English Teacher at Hatboro-Horsham High School for 9 years.

6. In addition to her service in the classroom, Ms. Cartee-Haring was the assistant girls’ lacrosse coach at CB West from 2013-2017 and then head coach for the 2018-2019 season.

7. As head coach, Ms. Cartee-Haring was very successful, not only guiding the team to the second round of the PIAA 3A District 1 playoffs, but in creating an unwavering positive environment for the student athletes to an unprecedented degree.

8. Notwithstanding her demonstrated job performance, Ms. Cartee-Haring was rejected by the District as the lacrosse coach for the 2019-2020 season because of her gender, her age and her perceived disability.

9. In April of 2020, Ms. Cartee-Haring filed suit against the District alleging she was not renewed as a lacrosse coach at CB West because of her gender, her age, and her perceived disability.

10. At the same time, Ms. Cartee-Haring also filed suit against the District it discriminated against her in compensation because of her gender.

11. In addition to coaching lacrosse at CB West, Ms. Cartee-Haring has experience coaching lacrosse and basketball as an assistant coach at Hatboro-Horsham High School in Horsham PA for 2 seasons and 1 season respectively.

12. After coaching at CB West, Ms. Cartee-Haring was the head lacrosse coach at Harriton High School in the Lower Merion School district from November 2019-May of 2021.

13. In addition to coaching at the high school level, Ms. Cartee-Haring co-owned and operated a competitive lacrosse club, LAXEDGE, for four years where she oversaw 15 coaches and 5 teams of players in 5th through 11th grade.

14. In addition to owning and running the club, Ms. Cartee-Haring was the head coach for the successful 2020 LAXEDGE team for four years.

15. Further, during her experience as a high school assistant coach, a high school head coach and a head club coach, Ms. Cartee-Haring has coached and guided many athletes who have gone on to commit to and play at the collegiate level, Division 1, 2 and 3.

16. On or about September 16, 2021, Nicole Fisher, the CB West Lacrosse coach from 2019-2021, announced to her team that she was resigning as the head coach.

17. On September 17, 2021, Ms. Cartee-Haring sent an email to Principal, Tim Donovan, Director of Athletics, Henry Hunt and District Superintendent, Abe Lucabaugh, expressing her interest in the position and asking that they take her desire for the position seriously.

18. On that same day, Henry Hunt sent an email back saying that they are “still processing the formal resignation” and the job would be posted in the CB employment portal, TalentEd, when that is complete.

19. On September 22, 2021 Central Bucks School District posted the job on Talent Ed, its online Employment Application Program.

20. Ms. Cartee-Haring applied for the CB West Head Coaching Position on September 22, 2021.

21. On October 22, 2021, the Talent Ed Posting for the CB West Head Coaching Position closed.

22. As of October 26, 2021, Ms. Cartee-Haring was not informed if she would be granted an interview for the position or if her application had been accepted or rejected and so she sent an email to Henry Hunt, CB West Athletic Director, asking when interviews would take place.

23. On October 27, 2021, Mr. Hunt responded to the email saying that he would have a timeline soon and that he was finishing up interviews for winter coaches.

24. On November 1, 2021, Ms. Cartee-Haring had still not been contacted and so she again emailed Henry Hunt, and principal Tim Donovan.

25. In the email she told them she had spoken to Jordan Sanocki, who applied for the CB West coaching job in 2019, and Jordan said she was only interested in the assistant coaching position and Ms. Cartee-Haring also told them that her former assistant coach, Kelli Romano, was also interested an assistant position.

26. On November 1, 2021, Tim Donovan responded by saying “We will not be interviewing this week. We are continuing to advertise for the position and will conduct interviews a later time.”

27. Ms. Cartee-Haring responded back to Tim Donovan and asked if she will be interviewed. She did not receive a response to that email.

28. On November 1, 2021, the job posting for the Head Lacrosse Coach for CB West Girls was reposted and the timeline was extended one month.

29. On November 3, 2021, Ms. Cartee-Haring discovered the position had been reposted and emailed the head of Human Resources, Andrea Didio Hauber, asking if she needed to reapply even though she applied to the original posting.

30. Ms. Didio-Hauber responded that she was “not part of the process at this time” and told Ms. Cartee-Haring to speak with Henry Hunt, Tim Donovan or the incoming acting principal, Lyndell Davis.

31. On that same day, Ms. Cartee-Haring emailed the three men and Henry Hunt responded, “The posting was closed and has since been reopened so we can continue to advertise the position. Your original submission is still included. We will contact you with updates when we have them.”

32. As of November 15, 2021, Ms. Cartee-Haring had yet to find out if she was moving on to the interview portion of the process, despite the District having her resume for almost two months.

33. Ms. Cartee-Haring emailed Henry Hunt and Lyndell Davis at 2:39 pm on November 15, 2021 requesting to know if she would be granted an interview.

34. On that same day at 3:00pm, Ms. Cartee-Haring’s counsel emailed the District’s legal counsel asking why Ms. Cartee-Haring had been told nothing about the status of her application despite being qualified and asking why the position was reposted.

35. On that same day at 3:45 pm, Ms. Cartee-Haring was sent an email from Henry Hunt stating, “You will be interviewed. We are tentatively set for Tuesday afternoon. You should be contacted later this week to lock in the time for the interview. I hope this helps with your planning.”

36. On November 19, 2021, Ms. Cartee-Haring was called in her classroom and given an interview to take place at 1:30, Tuesday, November 23, 2021.

37. On November 22, 2021, the day before Ms. Cartee-Haring's scheduled interview for the head coaching position, the District's counsel called Ms. Cartee-Haring's attorney to discuss the scheduling of depositions for her lawsuit involving the Equal Pay Act. At the end of the call, the District's counsel stated to the effect that the District is "not going to hire" Ms. Cartee-Haring for the coaching position because she has "made many enemies" and made a "mess."

38. Ms. Cartee-Haring was not aware of the conversation between the attorneys until after her interview on the evening of November 23, 2021.

39. Ms. Cartee-Haring was interviewed on November 23, 2021 from 1:30-2:30 during her contractual planning period for teaching and in the conference room adjacent to the Principal's office. She was interviewed by Lyndell Davis, Henry Hunt and Geanine Saullo, Lenape Principal.

40. On November 29, 2021, Ms. Cartee-Haring still had not heard about the decision to hire or not hire her as the head lacrosse coach and so she emailed Henry Hunt and Lyndell Davis to ask when she could expect to know decision on whether or not she would be hired as lacrosse coach and to let them know that she had other offers to coach elsewhere and she wanted to update those other schools.

41. Mr. Davis responded that same day, "We hope to finalize our decision in the next day or two."

42. On November 30, 2021, Ms. Cartee-Haring received an email from Mr. Davis telling her a phone number she allegedly gave for Jim Reichwein, one of her coaching job references, was no longer in service. The number Mr. Davis reported to Ms. Cartee-Haring was not a phone number she gave to him and was not the phone number Mr. Reichwein included in his reference letter.

43. On December 2, 2021, Ms. Cartee-Haring was contacted by one of her references, Lorma Capili, who explained that, when she was contacted by the District about Ms. Cartee-Haring, she bragged about Ms. Cartee-Haring and answered three questions: 1. Whether Ms. Cartee-Haring had the ability to grow a program; 2. Whether Ms. Cartee-Haring had the qualities that make her a good coach and; 3. Whether there was anything else about Ms. Cartee-Haring that Ms. Capili wanted to share.

44. Ms. Capili also texted to Ms. Cartee-Haring that, “I talked about my own personal and professional experience as a lacrosse coach, player and official and my interactions I’ve had with you over the years....I bragged about you.” She also noted, “I felt like he didn’t like my answers...it wasn’t very conversational...It felt manual and rote...like he was just going through the motions...I called Derek right after and was like...I don’t think he liked my answers.”

45. On December 2, 2021, Ms. Cartee-Haring also received a text message from Jim Reichwein, also one of her references for the coaching position, who wrote, “The call went according to plan and I was so glad to be able to participate in the process and represent you. I really hope it comes your way. Keep me posted.”

46. On December 3, 2021, Ms. Cartee-Haring still had not be contacted by the District regarding whether or not she has been named as the Head Lacrosse Coach. She followed up with an email to Mr. Davis and diud not receive a response.

47. On December 6, 2021, still not having the benefit to a response to her December 3 email, Ms. Cartee-Haring sent another email to Mr. Davis politely asking about the position and reiterating that she needs to update the other school that had offered her a head coaching position about whether or not she was accepting it.

48. Mr. Davis responded, “We will have a decision tomorrow before the end of the day.”

49. On December 6, 2021, Ms. Cartee-Haring received a text message from Tom Ferguson, the former Athletic Director at Harriton High School, who was a reference for Ms. Cartee-Haring. He remarked that he spoke with Henry Hunt about Ms. Cartee-Haring as a head lacrosse coach and believed the conversation went well.

50. On December 7, 2021 at 12:44 pm Ms. Cartee-Haring received an email from Mr. Davis in which he stated, “We have finalized our decision regarding the head coach position for Girls Lacrosse. We have recommended another candidate for hire, pending school board approval. If you are available at 1:30 today, I am available to discuss the decision and answer any questions.”

51. On December 7, 2021 at 1:30 during her contractual planning period, Ms. Cartee-Haring went to a meeting with Mr. Davis. He invited Mr. Hunt to attend, but Hunt did not.

52. Ms. Cartee-Haring asked what could she have done to be a better candidate for the position. Mr. Davis responded that it was clear Ms. Cartee-Haring had a “plethora of knowledge about lacrosse” but that she spoke as if she was an assistant coach and not a head

coach. Cartee-Haring asked for an example and Davis said that she mentioned delegating certain tasks to her former assistant, Kelli Romano.

53. Ms. Cartee-Haring asked Mr. Davis if he was aware of her federal discrimination lawsuit against the district and he said hesitantly that he “may have heard something about it.”

54. Ms. Cartee-Haring was told by Mr. Davis that the selected candidate for the Head Lacrosse Coach was Kaylie Cook-Grisewood, a young woman in her 20’s.

55. On December 7, 2021, Ms. Cartee-Haring reached out to tell her references that she did not get the head coaching position at CB West. Mr. Jim Reichwein responded in a text message, “You are definitely the best candidate for the job...I let him [Mr. Davis] know that you would be the best coach walk [sic] in the hallways of CB West. I shared that with the great respect for Coach Sherman and other coaches and CB West. I let him know my background and I’ve been coached by so many great people. I let him know that if you’re seeking a great coach who cares about people as well as players, you have found her. No one better.”

56. On December 8, 2021, Ms. Cartee-Haring sent an email to Andrea Didio-Hauber, the director of HR and the Compliance Officer for the District, stating “I do feel like there is unfair treatment of me as an employee in this district considering this scenario. As you are aware, I have two federal complaints against Central Bucks School District involving discrimination of me based on my sex, my age and my perceived disability. To whom do I report this?”

57. On December 9, 2021, Ms. Cartee-Haring sent a second email to Ms. Didio-Hauber sending an additional claim that shat she was not selected because of her age and that despite the inexperience of the selected candidate, she was neverthelsss selected over Ms. Cartee-Haring.

58. Ms. Cartee-Haring was objectively and substantially more qualified for the lacrosse coaching position than Ms. Cook-Grisewood who got the job.

59. Ms. Cook-Grisewood, a woman in her 20's, is substantially younger than Ms. Cartee-Haring whose date of birth is December 15, 1974

60. In contrast to Cartee-Haring, Cook-Grisewood had never been a head coach at the high school level.

61. In contrast to Cartee-Haring, Cook-Grisewood had no teaching experience working with high school students.

62. In contrast to Cartee-Haring, Cook-Grisewood had experience coaching only 2 seasons for a high school varsity team as an assistant coach.

63. In contrast to Cartee-Haring, Cook-Grisewood had never owned or run a club lacrosse team with 15 coaches and 5 teams.

64. In contrast to Cartee-Haring, Cook-Grisewood did not play NCAA Division I lacrosse and had not been a captain of Division 1 lacrosse team.

65. On December 10, 2021 Ms. Didio-Hauber finally responded to Ms. Cartee-Haring's concern that the District reposted the lacrosse coach position despite Ms. Cartee-Haring being a well qualified applicant claiming the reposting of the coaching position was "standard practice if the district does not get multiple candidates to an initial post."

66. Ms. Didio-Hauber's claim contradicted the District's own written policy with respect to the lacrosse coaching position stated, which stated "*The district reserves the right to close this posting after seven (7) calendar days should a suitable applicant be found.*"

67. On December 10, 2021 in that same email, Ms. Didio-Hauber, despite being the District's Compliance Officer and despite being told directly by Ms. Cartee-Haring that she believed her rejection for the lacrosse coach position was the result of retaliation and discrimination, did not tell Cartee-Haring how to file a discrimination or retaliation complaint but instead gave her the following information: "If you are alleging a violation of the collective bargaining agreement you may file a grievance with your building principal per the procedure outlined in the CBA. If you believe that there has been a conflict not covered by the CBA, you may file a complaint in writing with the Human Resources Department pursuant to School Board Policy 326. Please let me know if you have additional questions regarding these procedures. Attached you will find the requested complaint form. Upon completion please return directly to me and the complaint will be investigated accordingly."

68. The Central Bucks School Board Policy 326 does not govern discrimination and retaliation. It is a School Board Policy about internal Employee Complaints about other Employees.

69. Ms. Cartee-Haring responded to Ms. Didio-Hauber on December 10, 2021 asking her if the policy that actually applied to the situation was Policy 104.

70. On December 13, 2021, at 10:30 am, Ms. Cartee still had not heard from Ms. Didio-Hauber regarding her discrimination complaint.

71. At that point, Ms. Cartee-Haring, directed her concerns to the Assistant Superintendent, Dr. Charles Malone and the School Board President, Dana Hunter, in an email at 10:48 am, December 13, 2021.

72. In that email, Cartee-Haring stated that she believed Ms. Didio-Hauber may be involved in discrimination and retaliation against her given her federal lawsuits and Ms. Didio-Hauber's participation as a representative for the District in the lawsuit.

73. On that same day at 1:47p.m., Ms. Cartee-Haring finally received a response from Ms. Didio-Hauber saying that she had communicated with Dr. Malone, who was placed in charge of the investigation.

74. On December 14, 2021, Dr. Malone arranged to interview Ms. Cartee-Haring on December 21, 2021 at 1:15 during her contractual plan period at Central Bucks High School West.

75. During that meeting, Ms. Cartee-Haring detailed her concerns about retaliation given her federal lawsuit, and the unfavorable information that the depositions in the lawsuit revealed about the current superintendent, Dr. Abram Lucabaugh and Human Resources Director, Andrea Didio-Hauber.

76. Ms. Cartee-Haring also discussed and shared a document of comparison of her experience and resume with the selected candidate, Ms. Cook-Grisewood, which highlighted Ms. Cartee-Haring's extensive experience and qualifications in contrast to that of Cook-Grisewood.

77. Ms. Cartee-Haring also pointed to the District's refusal to hire her as coach despite being the only qualified applicant for the position and instead reposting the position as a means of affording the District more time to hire someone, anyone, other than Cartee-Haring for the position.

78. Ms. Cartee-Haring indicated that Cook-Grisewood was only in her 20's and that she believed she was also discriminated against based on her age.

79. On December 23, 2021, Dr. Malone emailed Ms. Cartee-Haring and claimed difficulty with scheduling interviews and stated, “I will continue this process immediately after break and will update you when I have information to share.”

80. On January 9, 2022, Ms. Cartee-Haring had not heard an update and emailed Dr. Malone to ask about one.

81. Dr. Malone responded that day with an email claiming that it had been difficult over the holidays and because of COVID illness to complete the interviews needed for his investigation. He stated, “I am preparing the write up and should have that to you sometime this week.”

82. On January 11, 2022, Cook-Grisewood was approved by the school board as the next head coach of Central Bucks High School West girls’ lacrosse team instead of Ms. Cartee-Haring, despite the fact that the investigation into Cartee-Haring’s averments of discrimination and retaliation had not been concluded since, as of January 11, 2022, Ms. Cartee-Haring had not been made aware of the findings of the investigation into her claims of retaliation and discrimination.

83. In fact, as of January 18, 2022, Ms. Cartee-Haring had not been contacted by Dr. Malone regarding the status of the investigation so she sent a follow-up email asking for an update.

84. On January 18, 2022, Cook-Grisewood held a first meeting with the girls lacrosse team at Central Bucks West High School, and Henry Hunt present, as was Jordan Sanocki, the person who served as a reference for Cook-Grisewood in the application process who was cited by Mr. Davis as one of the reasons Cook-Grisewood was selected. Sanocki had been hired an assistant coach for the CB West lacrosse team at Cook-Grisewood’s request.

85. That evening, Ms. Cartee-Haring sent an email to Dr. Malone, the school board president, Dana Hunter, Ms. Didio Hauber and another school board member, Tabitha Dell'Angelo, adding to her claim of retaliation a new concern regarding the School Board's premature confirmation of Cook-Grisewood as coach on January 11, 2022 and citing the hiring of the assistant who was a reference for the candidate as a conflict of interest.

86. This addition to Ms. Cartee-Haring's complaint did not appear in Dr. Malone's ultimate findings nor did Dr. Malone acknowledge receipt of Ms. Cartee-Haring's email.

87. Ms. Cartee-Haring finally received an email regarding the findings of the investigation on January 20, 2022 from Colleen Siegle, assistant to the superintendent. Siegle asked to schedule a meeting with Dr. Malone the next day at 2:45pm. When Ms. Cartee-Haring responded that she could not meet at that time due to another pre-existing obligation, Ms. Siegle responded, "Do you have any other time tomorrow that will work?" Ultimately, the meeting was scheduled for January 21.

88. Less than 30 minutes before the meeting on January 21, 2022, Ms. Cartee-Haring learned through an outlook appointment change that Dr. Malone would be accompanied at the meeting by April Borgeson from Human Resources.

89. Ms. Borgeson previously interacted with Ms. Cartee-Haring in October of 2019 when she escorted Ms. Cartee-Haring back to her classroom to collect her personal items and walked her out of the building when she was asked to leave work.

90. Ms. Borgeson also previously attended and took notes during a personal educational meeting among Ms. Cartee-Haring's husband, an assistant principal and her daughter's guidance counselor in October 2019.

91. Mrs. Borgeson's presence at the meeting regarding a student, Ms. Cartee-Haring's daughter, and her educational and emotional concerns, was highly irregular and inappropriate.

92. Ms. Borgeson's presence at the meeting in October 2019 and her presence at the meeting on January 21, 2022, were both attempts at intimidation and retaliation toward Ms. Cartee-Haring.

93. Seeing that Ms. Borgeson would be at the meeting, Ms. Cartee-Haring requested Mr. Frank Mancicni, her collective bargaining representative, to attend the meeting.

94. The findings shared in a written report with Ms. Cartee-Haring at that January 21, 2022 meeting and the process undertaken by Dr. Malone and the District to handle Ms. Cartee-Haring's complaint were a sham as indicated by the fact that the other candidate was approved by the School Board on January 11, 2022 before the alleged investigation into Cartee-Haring's complaint was even completed.

95. The District purposely delayed responding to Cartee-Haring or informing her of the process and ultimately, it was a foregone conclusion by the District that it would find no evidence of retaliation or discrimination despite substantial evidence to the contrary.

96. Further, the report created by Dr. Malone was not an investigative report. It merely restated what people claimed and was a pretext for unlawful retaliation and discrimination.

97. No facts detailing the two candidates' qualification for the coaching position were included in the report to support the District's false claim that Cook-Grisewood had "more leadership experience" as alleged in the report.

98. No references for the candidates were named in the report or even interviewed by Dr. Malone despite Mr. Davis' claims that the selected candidate had "stronger" references.

99. Dr. Malone's report stated that "Mr. Davis felt that [Ms. Cartee-Haring] spoke more like an assistant coach, often indicating what responsibilities could be handled by others on the coaching staff."

100. But, Ms. Cartee-Haring did not often refer to other coaches, noting, among other things, that she told Mr. Davis that she does ask her assistant to call out plays because the assistant has a louder voice and that her assistant works well with goalies.

101. Having a head coach utilize the strengths of assistants is not a negative quality in a head coach. Claiming that a head coach delegating to others on the coaching staff somehow makes a person sound like an assistant is blatantly false and a pretext for discrimination and retaliation.

102. Despite Mr. Davis falsely claiming that Ms. Cartee-Haring did not "come across as a head coach," the indisputable fact is that she does in fact have substantial, quality experience as a high school head coach and the selected candidate does not.

103. When Ms. Cartee-Haring sat on an interview committee in 2015 with then CB West Athletic Director Sean Kelly, Principal Jason Bucher, fellow teacher Katherine Semisch and others to select the next head football coach for CB West following a hazing scandal, one of the questions asked of all the candidates was how the head coach would delegate to his assistants.

104. Dr. Malone's report claimed that the "consensus of the interview team was leaning toward a higher-level coaching skill to be able to build a Division 1 team" as a reason to select Cook-Grisewood for the coaching position over Cartee-Haring.

105. It is both irrelevant and concerning that the interview committee would be looking for a high school coach to build a collegiate level program.

106. Indeed, the job description for the head coach made no mention of the desire to hire someone to create a “Division 1 team” nor did it require a candidate to have any collegiate coaching experience or that such experience was even preferred.

107. The original job posting for which the candidates interviewed read, “The successful candidate will have knowledge of the sport and be willing to work with secondary students.”

108. Ms. Cartee-Haring is a teacher with over 23 years of working with secondary students in and out of the classroom as a teacher and coach. Cook-Grisewood did not have anywhere close to that experience.

109. Dr. Malone’s report stated that the selected candidate had a “stronger coaching philosophy.” Yet, neither of the coaches’ coaching philosophies are contained in the report. It is also incredible that a person with zero coaching experience could have a “stronger coaching philosophy” than a highly experienced coach.

110. Dr. Malone’s report stated, without any factual support, that the selected candidate was a “better fit for the team.” What exactly “the fit: desired for the team was not indicated. In fact, none of the interviewers involved in the decision to hire Cook-Grisewood over Cartee-Haring ever held a meeting with players or parents to find out concerns or qualities they feel would fit with the team nor, had Mr. Davis or Mr. Hunt or any of the other decisionmakers met with the team to get to know the players, their abilities, or their needs as a team.

111. The Malone report claims that “the district employs a good number of coaches who are near the age of the complainant.” There is no data to support this statement, especially for female head coaches over the age of 40 like Mrs. Cartee-Haring at Central Bucks West, of which they only have one.

112. The report claims that Henry Hunt selected a neutral panel to interview. This is false.

113. Henry Hunt was deposed as part of the federal discrimination lawsuit Ms. Cartee-Haring has against the District regarding her coaching position.

114. Lyndell Davis told Ms. Cartee-Haring on December 7, 2021 that he was aware of the lawsuit.

115. Dr. Malone’s report never addressed how the District’s outside legal counsel would know on November 22, 2021 that Ms. Cartee-Haring would not be offered the head coach position even before she interviewed for it on November 23, 2021.

116. Dr. Malone’s failed attempt at a true investigation did nothing to disprove Ms. Cartee-Haring’s claims of retaliation and discrimination and merely window dressing is a transparent attempt to conceal the District’s retaliatory and discriminatory motive behind refusing to offer her the coaching position.

117. Astoundingly, on January 21, 2022, seconds after Ms. Cartee-Haring expressed her dismay at what Dr. Malone pretended was an investigation, Malone declared that he was going to share some “concerns” regarding Ms. Cartee-Haring’s professionalism.

118. At no time prior to the January 21 meeting was Cartee-Haring informed that “concerns” regarding her professionalism would be discussed at the meeting.

119. In fact, to the contrary, prior to the meeting Ms. Cartee-Haring asked Ms. Siegle what the purpose of the meeting would be and Siegle responded in an email that it was about the results of the investigation; at no time did she mention that Dr. Malone would share alleged concerns about Ms. Cartee-Haring as an employee of the District or inform her of her right to request a union representative there.

120. Dr. Malone disingenuously claimed he was giving Ms. Cartee-Haring a list of concerns out of kindness and even suggested that if he were her friend, it is what he would say.

121. Dr. Malone's remarks on January, 21, 2022, in such close proximity to a meeting about her complaint of discrimination and retaliation, constituted an effort to intimidate Cartee-Haring and to retaliate against her further with a clear message that Ms. Cartee-Haring should stay quiet and that somehow her role as a teacher with the district could be impacted if she did not.

122. Dr. Malone referenced Ms. Cartee-Haring's teaching contract obligations several times, and went so far as to tell Mr. Mancini, the union representative who attended the meeting, to remind her of her contractual obligations.

123. As part of his alleged "concerns," Dr. Malone questioned why Ms. Cartee-Haring had included the union president in her emails about the internal complaint or retaliation and discrimination she made after she was rejected for the coaching position.

124. As a member of the CBEA union, informing her Union President of her complaint is her right as a member and as an individual opposing unlawful discrimination and retaliation.

125. Dr. Malone told Ms. Cartee-Haring that she should not use District contractual time or accounts to send emails and then he referenced as an example an email sent from her husband's Gmail after school hours regarding their daughter and what had transpired with the

new lacrosse coach, as well as other concerns regarding Title IX issues and the principal and athletic director's treatment of the team's need for a coach.

126. Dr. Malone insidiously conveyed that Ms. Cartee-Haring's employment as a teacher with the District prevented her husband from contacting their daughter's principal and athletic director regarding concerns of a federal violation on their part and their daughter's physical and mental health given the new coach's plans.

127. Dr. Malone further argued that Ms. Cartee-Haring's daughter may not have relayed what the coach said at the meeting correctly, that it takes time to build a program and that Ms. Cartee-Haring did not give the coach a chance.

128. When Ms. Cartee-Haring said that her daughter had a written handout from the coach, Dr. Malone bizarrely questioned if that handout was intended to be seen by parents, as if a parent were not allowed to see a coaching plan or criticize a coach of their child.

129. Leaving no question of his intent to intimidate Ms. Cartee-Haring, Dr. Malone lectured her that as an employee of the District she should show respect to other employees of the District by not speaking about her concerns affecting her own daughter.

130. The hypocritical nature of Dr. Malone's comments was not lost on Ms. Cartee-Haring, who during and after the 2018-2019 lacrosse season in which she was head lacrosse coach at the District, was told that the harassment to which she was subjected by a parent of a student, and the false negative comments made by that parent who was also an employee of the District, were allowed because the false complaints came from a parent with rights.

131. Dr. Malone also claimed Ms. Cartee-Haring was unprofessional because she sent her daughter's Athletic Director, Henry Hunt, a text message regarding the new coach. This text

was sent on her own time from her cell phone. Again, the link to her “professional” role was a tactic to intimidate her.

132. In fact, Henry Hunt, often receives texts from parents of athletes in the District and employees in the District on that same cell phone.

133. Dr. Malone told Mr. Mancini that he should admonish Ms. Cartee-Haring and remind her that contractual hours should only be used for teaching purposes and that she should not have emailed him or Henry Hunt about the job or her complaint during school hours.

134. Yet, the meeting Dr. Malone scheduled and was holding was taking place during Ms. Cartee-Haring’s teaching plan period. In addition, the interview for the coaching position for the 2022 season was scheduled by the District during contract hours, as was Mr. Davis’s follow up meeting with Ms. Cartee-Haring explaining why she did not get the position. Ms. Cartee-Haring was never given an option for those meetings to take place outside of her contractual time for teaching.

135. Even Mr. Mancini, once Dr. Malone left the meeting with April Borgeson, told Ms. Cartee-Haring that Dr. Malone was clear that trouble could follow if she did not in fact stay quiet. Mr. Mancini even suggested that Ms. Cartee-Haring never email them and let her husband do anything concerning their daughter.

136. The District engaged in a farce investigation and then capped off the results with a follow-up meeting where when Cartee-Haring made her dissatisfaction with the investigation clear and was told by Dr. Malone to watch what she says while he dangled a link to her professional contract as a reminder that they expect her to nod her head and support their choice for the new coach no matter what.

137. Throughout this ordeal, Ms. Caree-Haring has been subjected to intimidation and retaliation regarding her employment as a teacher in the district.

138. The District has consistently and repeatedly flouted its obligations to Ms. Cartee-Haring under the Title VII of the Civil Rights act of 1964 (“Title VII”), Title IX of the Education Amendments of 1972 (“Title IX”), the Age Discrimination in Employment Act (“ADEA”), the Equal Pay Act (“EPA”), the Americans with Disabilities Act (“ADA”) and the Pennsylvania Human Relations Act (“PHRA”).

139. Ms. Cartee-Haring was not hired by the District as the Central Bucks West High School head girls lacrosse coach for the 2021-2022 season and thereafter because of retaliation for her filing of a federal discrimination lawsuit, because she opposed unlawful discrimination under Title VII, Title IX, the ADEA, the ADA, the EPA, and the PHRA, and because of her age in violation of the ADEA and the PHRA.

WHEREFORE, Ms. Cartee-Haring demands the following relief:

- (1) backpay including salary and benefits;
- (2) reinstatement as head girls lacrosse coach at CB West;
- (3) compensatory damages;
- (4) punitive damages;
- (5) liquidated damages;
- (6) a permanent injunction enjoining Respondent discriminating against her and from aiding and abetting discrimination and/or retaliation against her;
- (7) her attorney's fees and costs; and
- (8) such other relief as to which she may be entitled.

Respectfully submitted,

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